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10/092,049

03/04/2002

Robert C. Chang

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05/16/2006

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EXAMINER

LEMMA, SAMSON B

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/092,049 | Applicant(s) CHANG ET AL. | |
| | Examiner Samson B. Lemma | Art Unit 2132 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-8,11-13 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8,11-13 and 17-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).


* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

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1. This office action is in reply to an amendment filed on March 01, 2006.
Claims 2,4, 9-10,14-16 and 25-37 have been cancelled. Claims 1, 3,5-8, 11-13, 17-22 and 24 are amended. ~~No claim has been canceled.~~ Therefore claims **1, 3,5-8,11-13, 17-24** are pending and are examined.
 2. The Specification is amended and successfully overcome the objection set forth in the previous office action. Therefore the objection has been withdrawn.
 3. The Drawing is amended and successfully overcome the objection set forth in the previous office action. Therefore the objection has been withdrawn.
 4. **Claims 6, 17 and 18** are amended and successfully overcome the § 112 rejection set forth in the previous office action. Therefore the § 112 rejection on claims 6, 17-18 and dependent claim 19 has been withdrawn.

Response to Arguments

5. Applicant's arguments with respect to the claims **1, 3,5-8,11-13, 17-24** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a

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person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1,3, 5-8,11-13, 17-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (hereinafter referred as **Jones**) (U.S. Patent No 5,623,637) in view of Tatebayashi et al (hereinafter referred as **Tatebayashi**) (U.S. Patent No 6,859,535) (filed on October 15,1999)

8. **As per claims 1, 8, 13 and 20-21 Jones discloses a method for accessing encrypted information stored in a flash memory storage device [Column 6, lines 11-12](encrypt the data prior to storing the data in the common memory array 150 and accessing the data by decrypting the data back into its original form from the storage device 150) by operating a host system [figure 2, ref. Num "110"] in communication with a reader [figure 2, ref. Num "250"] the reader including a memory storing a key according to which the information stored in the flash memory storage device is encrypted.** [Abstract; column 6, lines 5-16 and column 3, lines 51-52] (As explained on the abstract and column 6, lines 5-16., the key value is stored on the smartcard/adaptor and obtained/fetched from the EPROM "257" and the key is used to encrypt/decrypt information that is to be stored in the memory shown on figure 2, ref. Num "150" and this memory is indicated to be a flash memory at column 3, lines 51-52]

Inserting the flash memory storage device [figure 1, ref. Num "150" and figure 2, ref. Num "150"] **into the reader** [figure 1, ref. Num "250"] (flash memory are inherently inserted and removed/detached from the floppy disk driver/reader of the host computer. For instance, floppy disk which stores data, are inherently inserted and removed/detached from the floppy disk driver/reader located in the host computer)

Forwarding an access code from the host system to the reader.

[Column 5, lines 59-61; figure 2, ref. Num “309” and figure 3] (The driver software prompts the user with a request for a valid password which, when entered is sent via the data buffer)

Responsive to the access code being valid for the reader , obtaining the key from the reader [column 6, lines 9-10; column 5, lines 64- column 6, lines 21 and figure 2 and 3] (if the password/access code is found to be valid after comparing with the password stored in the reader/EEPROM 257 then the the key value is stored on the smartcard/adapter is obtained/fetched form the EFPROM “257”)

Decrypting the information stored on the flash memory storage device using the key and forwarding the decrypted information to the host system.[Column 6, lines 9-14 and column 5, lines 64-column 6, lines 14; figure 2 and 3] (As explained on the abstract and column 6, lines 5-16., the key value is stored on the smartcard/adapter/reader is obtained/fetched form the EFPROM “257” and the key is used to encrypt/decrypt information that is to be stored in the memory shown on figure 2, ref. Num “150”]

- **Jones** does not disclose expressly discloses inserting the flash memory storage device into the reader.

However, in the field of endeavor **Tatebayashi** discloses

Inserting the flash memory storage device into the reader. [Column 18, lines 9-29; figure 8, figure 2, figure 6 and figure 18] Furthermore As shown on figure 6 the reader stores a key and as indicated on the abstract, the reader using the key decrypts an encrypted content stored in the flash memory 200]

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature of inserting the flash memory storage device into the reader as per teachings of **Tatebayashi** in to the method as taught by **Jones**, in order to authenticate the flash memory with the reader.[See **Tatebayashi, column 18, lines 10-12**]

9. **As per claims 3,** the combination of Jones and Tatebayashi discloses the method as applied to claims above. Furthermore Tatebayashi discloses the method further comprising encrypting information using the key, storing the encrypted information in the flash memory storage device and removing the flash memory storage device from the reader. [Column 18, lines 9-29; figure 8, figure 2, figure 6 and figure 18 and abstract]

10. **As per claims 5,** the combination of Jones and Tatebayashi discloses the method as applied to claims above. Furthermore Jones discloses the method wherein the access code comprises a first password; and wherein the obtaining step comprises: decoding contents stored in the reader to obtain the key from the decoder content using the first password, responsive to determining that the first password is valid to obtain the key from the decoded content. [column 5, lines 59-column 6, line 14]

11. **As per claims 6-7, 17-19** the combination of Jones and Tatebayashi discloses the method as applied to claims above. Furthermore Jones discloses the method further comprising: comparing the first password to a second password to determine whether the first password matches the second password wherein the second password is stored in the reader. [Column 8, lines 4-34; Figure 2, ref. Num "320" and column 5, line 61-64]

12. **As per claims 11 and 22-23,** the combination of Jones and Tatebayashi discloses the method as applied to claims above. Furthermore Jones discloses the method wherein the flash memory storage device is one selected from the group

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consisting of a secure digital card, a Compact Flash card, a multimedia card, smart card and a Memory Stick card. [Figure 1, ref. Num "150" and column 3, lines 51-52]

13. **As per claims 12 and 24**, the combination of Jones and Tatebayashi discloses the method as applied to claims above. Furthermore Jones discloses the method wherein the reader is one of a Universal Serial Bus (USB) reader and a personal computer memory card International Association (PCMCIA) adapter. [Figure 2, ref. Num"250"]

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892).

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

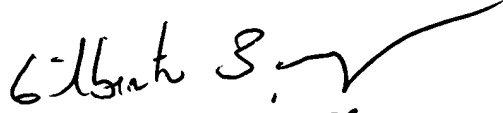
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA
S.L.
May 02, 2006


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